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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/603,660	06/26/2003	Akihito Onishi	SAT 192	3989
23995	7590	02/26/2004	EXAMINER	
RABIN & Berdo, PC 1101 14TH STREET, NW SUITE 500 WASHINGTON, DC 20005			GRAINGER, QUANA MASHALL	
			ART UNIT	PAPER NUMBER
			2852	

DATE MAILED: 02/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/603,660

Applicant(s)

ONISHI

Examiner

Quana Grainger

Art Unit

2852

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2,9 and 10 is/are rejected.
- 7) ☒ Claim(s) 2-8 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 6) ☐ Other: _____

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DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

2. The formal drawings are approved by the examiner.

Title

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Objections

4. Claims 1-10 are objected to because claims 1 and 10 contain non-idiomatic English in lines 2-3 of the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claim 10 is rejected under 35 U.S.C. 102(b) as being anticipated by Shimazaki et al.

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(6,134,397) or Shimizu et al. (JP2-301789A). Both references teach an image forming apparatus comprising a developing means of putting developing material to sticking to an image holder, so as to form an image corresponding to an image data, a developing material supplying means of supplying said developing material to said developing means, a first electricity source for impressing said developing means with a first voltage, a second electricity source for impressing said developing material supplying means with a second voltage, and a controller for controlling the electric potential difference between said first voltage and said second voltage.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out

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the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. Claims 1-2 and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimazaki et al. (6,134,397). in view of Shimizu et al. (JP2-301789A).

Shimazaki et al. teaches an image forming apparatus comprising a developing means of putting developing material to sticking to an image holder, so as to form an image corresponding to an image data, a developing material supplying means of supplying said developing material to said developing means, a first electricity source for impressing said developing means with a first voltage, a second electricity source for impressing said developing material supplying means with a second voltage, and a controller for controlling each supply of said first electricity source and said second electricity source according to said image density detected by said image density detecting means (Figure 1). The controller controls the electric potential difference between said first voltage and said second voltage according to said image density. Shimazaki et al. teaches an image forming apparatus comprising a developing means of putting developing material to sticking to an image holder, so as to form an image corresponding to an image data, a developing material supplying means of supplying said developing material to said developing means, a first electricity source for impressing said developing means with a first voltage, a second electricity source for impressing said developing material supplying means with a second voltage, and a controller for controlling the electric potential difference between said first voltage and said second voltage (Figure 2). Shimazaki et al. teaches a density input means but does not teach a

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density detection means.

Shimizu et al. teaches an image density detecting means of detecting image density from said image data. The examiner takes official notice that it is known in the art at the time the invention was made to have a presenting means in use with an image forming apparatus. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the density detection means of Shimizu et al. with the image forming device of Shimazaki et al. to increase operability of the device.

Prior Art of Record

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Oka et al. teaches a developing device.

Allowable Subject Matter

11. Claims 3-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

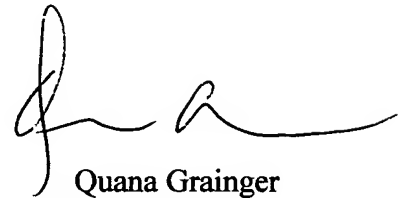
12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quana Grainger whose telephone number is 703-308-7616. The examiner can normally be reached on weekdays between the hours of 9-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

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supervisor, Arthur Grimley can be reached on 703-308-1373. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9318 for regular communications and 703-872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-3431.

A handwritten signature in black ink, appearing to read 'Quana Grainger', is positioned above the printed name and title.

Quana Grainger
Primary Examiner
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QG
February 5, 2004